

**BEFORE THE
PENNSYLVANIA GAMING CONTROL BOARD**

SANDS BETHWORKS	:	COMMONWEALTH OF
GAMING, LLC	:	PENNSYLVANIA
	:	
	:	PENNSYLVANIA GAMING
	:	CONTROL BOARD
IN RE: Underage Gaming	:	
	:	LICENSING NO. 1353-4
	:	INVESTIGATION ID NO.
	:	1353-E3962-18, 1353-E3964-18,
	:	1353-E4263-18, 1353-E4344-18,
	:	1353-E4419-18, 1353-E4524-18,
	:	1353-E4526-18, 1353-E4646-18,
	:	1353-E4718-18, 1353-E4810-19,
	:	1353-E4879-19

CONSENT AGREEMENT

THIS CONSENT AGREEMENT is made and entered into by the Commonwealth of Pennsylvania, Gaming Control Board (“Board”), an independent administrative board of the Commonwealth of Pennsylvania, Office of Enforcement Counsel (“OEC”), and Sands Bethworks Gaming, LLC (“Sands”). Sands and OEC collectively are referred to as the “Parties,” and

WHEREAS, Sands is an enterprise organized and existing under the laws of Pennsylvania and at all times referenced herein, had its principal place of business at 77 Sands Boulevard, Bethlehem, PA 18015. Sands is the holder of a Category 2 slot machine license as awarded by the Board on December 20, 2006; and

WHEREAS, OEC is the prosecutorial body established by 4 Pa.C.S. § 1517(a.2) and has the power and duty to initiate proceedings for administrative violations of the Act pursuant to section 1517(a.2)(1)(iii) of the Act; and

WHEREAS, Sands and OEC, through their authorized representatives whose signatures are affixed hereto, have investigated the events that are the subject of this Consent Agreement, have conferred extensively, and now desire to conclusively and amicably resolve all matters arising out of the events, and enter into a Consent Agreement before the filing of a Complaint, pursuant to 58 Pa. Code § 493a.1(a), which provides “[p]arties may propose consent agreements at any time prior to the entry of a final order;” and

WHEREAS, pursuant to 4 Pa.C.S. § 1102(1), the primary object of the Act to which all other objectives and purposes are secondary is to protect the public through the regulation and policing of all activities involving gaming and practices that continue to be unlawful; and

WHEREAS, pursuant to 4 Pa.C.S. § 1518(a)(13), it shall be unlawful for an individual under 21 years of age to enter and remain in any area of a licensed facility where slot machines are operated or the play of table games is conducted; and

WHEREAS, pursuant to 4 Pa.C.S. § 1518(a)(13.1), it shall be unlawful for an individual under 21 years of age to wager, play or attempt to play a slot machine or table game at a licensed facility; and

WHEREAS, pursuant to 4 Pa.C.S. § 1207(8), the Board has the power and duty to require that a licensed facility prohibit persons under 21 years of age from operating or using slot machines or playing table games; and

WHEREAS, pursuant to 58 Pa. Code § 513a.2(a), an individual under 21 years of age may not enter or be on the gaming floor of a licensed facility; and

WHEREAS, pursuant to 58 Pa. Code § 513a.2(b), an individual under 21 years of age, whether personally or through an agent, may not operate, use, play or place a wager on, a slot machine in a licensed facility; and

WHEREAS, pursuant to 58 Pa. Code § 513a.3(b), a licensed facility shall establish procedures that are designed to prevent violations of 58 Pa. Code § 513a.2(b); and

WHEREAS, pursuant to 58 Pa. Code § 513a.3(c), the Sands is subject to Board-imposed administrative sanctions for violating 58 Pa. Code § 513a.2(b); and

WHEREAS, the Parties do not dispute the jurisdiction of the Board; and

WHEREAS, the Parties now seek to enter into this Consent Agreement as a compromise of any disputed claims and in consideration of the Parties waiving, releasing, and forbearing any regulatory dispute.

THEREFORE, the Parties stipulate and agree, and present to the Board for its consideration, the following:

STIPULATION OF FACTS

Count I

1353-E3964-18 On March 17, 2018, Sands Security notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor. Security personnel approached the patron who initially refused to provide identification. Pennsylvania State Police (PSP) later obtained the identification which revealed the individual was underage patron Shaquasa Farmer, date of birth October 29, 1999 (18 years old). A review of video surveillance showed Sands Security Officer Gore speaking with Ms. Farmer and another patron by Molten Lounge, at 12:01a.m. Security escorted Ms. Farmer and the other patron out of the bus entrance but failed to notify a supervisor or the surveillance department that

he escorted a refused identification patron to an exit, committing a procedure violation. By failing to notify a Security Manager or PSP, neither party had the opportunity to speak with the patron in question.

Shift Manager Kemmerer requested that the Surveillance Department conduct further review and determine if Ms. Farmer had departed property. It was discovered that Ms. Farmer returned to the bus entrance, where she then received an escort by Security Officer Lopez, from the bus entrance to the Market Place at approximately 1:12a.m. At approximately 1:38a.m. Manager Kemmerer and Supervisor Easterday approached Ms. Farmer and suspected that she was underage. PSP was contacted and responded to the Market Place.

Surveillance conducted further review which revealed Ms. Farmer gained access to the gaming floor on March 16, 2018, at 10:57p.m. She was unchallenged at the main entrance, after initially being turned away by Security Officer Sidhu for not having identification. Ms. Farmer successfully walked passed Security Officers Heath and Boccardi. Ms. Farmer was on the gaming floor for approximately one (1) hour and seven (7) minutes. During that time, Ms. Farmer gamed at three (3) different slot machines. There were no funds confiscated from Ms. Farmer nor was she observed consuming alcohol. Ms. Farmer was issued a permanent eviction and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13.1) Unlawful for persons under 21 to wager/play or attempt to play Slots/Games. This incident was self-reported by Sands.

Disciplinary action was issued to Security Officer Gore by way of a Coaching and Counseling Session for unsatisfactory work performance and failure to meet Company and Departmental standards of performance.

On March 17, 2018, Security Officer Boccardi was suspended pending an investigation for violation of the Pennsylvania Gaming Control Board (PGCB) regulations, unsatisfactory work performance, and failure to meet Company and Departmental standards of performance. On March 23, 2018, in lieu of termination, Boccardi provided his notice of resignation. Security Officer Heath was engaged with another patron who was attempting to gain access to the casino floor by way of the exterior Main Entrance doors. Therefore, no disciplinary action was issued to Heath.

Count II

1353-E3962-18 On April 12, 2018, Sands Security notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor. Security completed an identification check outside of Pit 1 and the identification revealed underage patron Mahogany Gonzalez, date of birth April 13, 1999 (18 years old). Ms. Gonzalez entered the gaming floor through the Bus Entrance unchallenged. The Security Officers assigned to the Bus Entrance were John Williams Jr. and Bryan Green. When Ms. Gonzalez entered the Bus Entrance with her acquaintances, Security Officer Green was engaged in conversation with another Sands employee.

Ms. Gonzalez was on the gaming floor for approximately one (1) hour and nine (9) minutes. During that time, Ms. Gonzalez gamed at seven (7) different slot machines. There were no funds confiscated from Ms. Gonzalez, however, she was observed via video surveillance printing out a voucher for \$112.15 at slot machine M0801/Asset: 6543. That voucher was cashed out by one of her acquaintances at Ticket Redemption Unit (TRU) 10. She did not consume alcohol. Ms. Gonzalez was issued a permanent eviction and was

charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13) Unlawful to Permit Persons Under 21. This incident was self-reported by Sands.

Sands advised that on April 20, 2018, disciplinary action was issued to Security Officer Green by way of a Last and Final Performance Improvement Plan (PIP) for violation of the PGCB regulations, unsatisfactory work performance, failure to meet Company and Departmental standards of performance, and disregard or violation of Company rules, policies and procedures.

On April 26, 2018, disciplinary action was issued to Security Officer Williams by way of a Last and Final PIP for violation of the PGCB regulations, unsatisfactory work performance, failure to meet Company or Departmental standards of performance, and disregard or violation of Company rules, policies and procedures.

Count III

1353-E4344-18 On June 13, 2018, Sands Security was notified of a retail theft at the Heartstrings clothing outlet on the lower level of The Outlets at Sands Bethlehem involving two (2) females. The two suspects in the theft entered the casino via the Market Entrance and were located at Blackjack/BJ-201. It was here that it was determined that Janasia Henderson, date of birth June 26, 1999, was an eighteen (18) year old underage patron after being questioned by police and security. The second female was discovered to be Shaneeka Blanding, date of birth December 12, 1979, age 38. It was determined that Ms. Henderson used Ms. Blanding's identification to first gain entry to the casino via the main entrance at 11:55 a.m. Ms. Henderson was challenged, the identification was scanned, and she was allowed entry. After spending approximately one (1) hour and eleven (11) minutes on the gaming floor, both suspects proceeded to the Market and exited the casino for

approximately one (1) hour and ten (10) minutes. Ms. Henderson re-entered the casino via the Market entrance at 2:09 p.m. and was on the casino floor for approximately fifty (50) additional minutes before being confronted by security officers. Upon re-entering the casino via the Market, Ms. Henderson gave the false identification to Security Officer Buchert who did not scan the identification through Veridocs.

Ms. Henderson was on the gaming floor for approximate total of two (2) hours where she was observed gaming at Blackjack (BJ-201) and received an alcoholic beverage from Cocktail Server Garcia. Ms. Henderson was also observed at the Main Bank cashing out cheques in the amount of \$445. She was permanently evicted and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21. Additionally, Ms. Henderson was charged by the Bethlehem City Police Department with 18 Pa.C.S.A. § 3925 A, Receiving Stolen Property, and 18 Pa.C.S.A. § 3929 A1, Retail Theft. Shaneeka Blanding was issued a permanent eviction from the casino for her role in this incident. No funds were confiscated from either Ms. Henderson or Ms. Blanding. This incident was self-reported by Sands.

Disciplinary action was issued to Security Officer Buchert in the form of a Last and Final PIP for violation of the PGCB regulations, unsatisfactory work performance, failure to meet Company and Departmental standards of performance, and disregard or violation of Company rules, policies and procedures.

Disciplinary action was issued to Cage Cashier DeMonaco in the form of Coaching and Counseling Session for unsatisfactory work performance and failure to meet Company and Departmental standards of performance for failing to request identification from Henderson.

Count IV

1353-E4263-18 On June 15, 2018, Sands Security notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor. The patron was later discovered to be Maheen Safdar, date of birth September 11, 1998 (19 years old). Security Officer Diehl notified Surveillance of an identification check at a poker table (PKR-14). Surveillance brought up live coverage and observed Supervisor Lopez approach patron Maheen Safdar. Supervisor Lopez escorted Ms. Safdar to the Security Podium with Shagufta and Malik Rehman. Pennsylvania State Police (PSP) was contacted and confirmed Ms. Safdar used a false identification belonging to Fareeha Rehman to gain access to the gaming floor. Surveillance tracked and identified Fareeha Rehman's location. Shift Manager Sherwood approached her and escorted her to the PSP Office. Security issued permanent evictions to all four (4) patrons.

Surveillance conducted further review and observed Ms. Safdar entered through the Bus Entrance, at 5:38 p.m. by presenting Fareeha Rehman's identification to Officer Vetsikas, who scanned it into Veridocs and permitted entry. At 7:19 p.m. Ms. Safdar departed through the Market Entrance and returned at 8:28 p.m. Security Officer Sidhu challenged her for identification, scanned it into Veridocs, and permitted her re-entry.

Ms. Safdar was on the gaming floor for approximately two (2) hours and thirty-three (33) minutes. During that time, Ms. Safdar gamed on slot machine P-3004/Asset #6658, and BS-126. There were no funds confiscated from Ms. Safdar nor was she observed consuming alcohol. Ms. Safdar was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21, and 4 Pa.C.S. § 1518(a)(13.1) Unlawful for persons under 21 to wager/play or attempt to play Slots/Games.

Fareeha Rehman was charged with 75 Pa.C.S. § 1571 A2, Lend Driver's License to Another Person. This incident was self-reported by Sands. No disciplinary action was taken by Sands against its employees.

Count V

1353-E4419-18 On August 3, 2018, Sands Security notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor. The patron was discovered to be Brandon Francis, date of birth January 9, 1999 (19 years old). Sands Security advised the surveillance department that Mr. Francis utilized a false identification as part of a group and entered the Sands' gaming floor. Surveillance obtained live coverage, at 9:01p.m. and observed underage patron Brandon Francis seated between Jamar Rowe and Rogdrico Haynes at slot machine Q-2402/Asset #3722. At approximately 9:04p.m., Security Supervisors Troll and Larosa approached the group and escorted them to the Security Podium where they were met by Pennsylvania State Police.

Surveillance conducted additional review and observed that Mr. Francis and Rogdrico Haynes approached the Main Entrance at 8:34p.m. Mr. Francis presented the identification of Jamar Rowe to Security Officer Walker who scanned the identification into Veridocs and permitted both parties to enter. Mr. Haynes then departed via the Main Entrance at 8:35p.m. and met with Jamar Rowe in the elevator where he returned his identification. Mr. Haynes re-entered the gaming floor at 8:40p.m. Mr. Rowe presented his identification which Security realized was used by two different people.

Mr. Francis was on the gaming floor for approximately twenty-nine (29) minutes. During that time, he gamed on two (2) slot machines, Q-1402/Asset #2678, and Q-

1403/Asset #1752. There were no funds confiscated from Mr. Francis nor was he observed consuming alcohol. All three (3) members in the group were permanently evicted. Mr. Francis was charged by the Pennsylvania State Police with 18 Pa.C.S.A. § 6310.3 A, Carry False Identification. Jamar Rowe was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21. This incident was self-reported by Sands.

Sands advised that disciplinary action was issued to Security Officer Walker by way of a Coaching and Counseling Session for unsatisfactory work performance, failure to meet Company and Departmental standards of performance and disregard or violation of Company and Departmental rules, policies and procedures.

Count VI

1353-E4524-18 On August 26, 2018, the Sands Security Department notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor. The patron was discovered to be Alexander James Richard Gomez, date of birth February 15, 1999 (19 years old). Security notified the Surveillance Department that a Food and Beverage Supervisor escorted an underage patron, Mr. Gomez, from actively gaming on the casino floor to the Market entrance. Surveillance initiated live coverage and observed Mr. Gomez interacting with Security Shift Manager Kemmerer at 1:35a.m. Mr. Gomez was then escorted to the Pennsylvania State Police office.

Surveillance conducted a review and found that Mr. Gomez entered via the bus entrance unchallenged at 12:33a.m. with Security Officers Durham, Moffat and Sylvester assigned and present at the entryway. Beverage Server Cuff challenged Mr. Gomez for identification when he attempted to order a beverage at 1:24a.m. on slot machine B-

1503/Asset#2605. Food and Beverage Supervisor Tarczy responded and escorted Mr. Gomez to the Market entrance. Mr. Gomez claimed he thought the legal gaming age was eighteen (18) in Pennsylvania. He is a resident of Oklahoma.

Mr. Gomez was on the gaming floor for approximately fifty (50) minutes. During that time, he gamed at twelve (12) different slot machines. There were no funds confiscated from Mr. Gomez nor was he observed consuming alcohol. Mr. Gomez was permanently evicted and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21. This incident was self-reported by Sands.

Sands advised that disciplinary action was issued to Security Officers Durham and Moffat by way of a Last and Final PIP for violation of the PGCB regulations, unsatisfactory work performance, failure to meet Company and Departmental standards of performance, and for disregard and violation of Company and Departmental policies and procedures.

Count VII

1353-E4526-18 On July 21, 2018, the Sands Security Department notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor the night before. The patron was discovered to be Kyle Smith, date of birth July 2, 1998 (20 years old). At approximately 11:55p.m. on July 21, 2018, Security Supervisor Binder responded to the Main entrance for an identification check. Upon arrival he was advised by Security Officer Ogorek that Mr. Smith's identification kept failing in the Veridocs scanner. The identification was taken to the My Sands desk where it failed an additional three (3) times. Pennsylvania State Police were contacted and advised that they would respond and make contact with Mr. Smith. Mr. Smith admitted that the identification was indeed fake and

that he was 20 years old. He then advised that he had the fake identification since he was sixteen (16) years old.

A surveillance review revealed that Mr. Smith used this identification on the evening of July 20th to gain entry to the casino floor. Security Officer Zuk scanned Mr. Smith's identification and allowed entry onto the casino floor where he was observed drinking and gaming.

Mr. Smith was on the gaming floor for approximately three (3) hours and nineteen (19) minutes. He actively gamed for one (1) hour and seventeen (17) minutes at a blackjack table (BJ-201). Mr. Smith was also served seven (7) alcoholic beverages during that time. There were no funds confiscated from Mr. Smith. Mr. Smith was permanently evicted and was charged by the Pennsylvania State Police with 18 Pa.C.S.A. § 6310.3 A, Carry False Identification. This incident was self-reported by Sands.

Sands advised that as a result of this incident, Security Officer Zuk was suspended pending an investigation. Upon completion of the investigation Zuk was issued a Coaching and Counseling Session and a Last and Final PIP for violation of the PGCB regulations, unsatisfactory work performance and failure to meet Company and Departmental policies and procedures. Zuk was allowed to return to work on July 26, 2018.

Count VIII

1353-E4646-18 On August 11, 2018, the Sands Security Department notified the Bureau of Casino Compliance of an underage patron who was found on the casino floor. Carlos Torres-Landaverde, date of birth, September 14, 1998 (age 19) was allowed access to the gaming floor without presenting his valid identification. The identification was not scanned at the bus entrance by Sands Security. The security officers at the bus entrance at the time

were Officers Hower, Williams, and Alcaro. All three (3) were engaged with other patrons at the time of Mr. Torres-Landaverde entrance into the casino. Mr. Torres-Landaverde was discovered when he was carded by Sands' Cocktail Server Melissa Smith. Mr. Torres-Landaverde was then escorted from the casino floor to the Pennsylvania State Police office.

Mr. Torres-Landaverde was on the gaming floor for approximately forty-eight (48) minutes. He was observed gaming at three (3) slot machine M-0109/2825, M-0110/2826, and M-0108/2824. There were no funds confiscated from Mr. Torres-Landaverde and he was not observed consuming alcohol. Mr. Torres-Landaverde was permanently evicted and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21. This incident was self-reported by Sands.

Sands advised that as a result of this violation, Security Officer Williams was suspended pending an investigation. On August 14, 2018 a due process meeting was held with Williams to discuss this incident. Williams was reminded that he was previously issued a Last and Final PIP for an underage violation that occurred on June 16, 2018. Upon careful review of the disciplinary actions previously issued to Williams and upon review of the facts obtained from this investigation, it was determined that Williams did not meet Company and Departmental standards and that he was in direct violation of company policy. As a result, Williams was terminated as of August 15, 2018.

Count IX

1353-E4718-18 On December 9, 2018, the Sands Security Department notified the Bureau of Casino Compliance of an underage patron who presented a false identification at Sands Market entrance. The underage female was identified as Gennesy Javier, date of birth July

18, 1998 (age 20). A review of surveillance footage presented that Ms. Javier was initially being escorted by Sands Security from the bus entrance to the market place with a group of underage minors. During the course of the escort, Ms. Javier separated from the group and went onto the casino floor. During her visit, Ms. Javier, entered and exited the casino floor two (2) additional times, via the Market entrance where four (4) Security Officers were stationed, without being challenged. She also spoke with several Security Officers while on the gaming floor without being challenged. She was finally discovered after being challenged by Security on her third attempt to re-enter the casino floor and was found to have a fake New Jersey driver's license.

Ms. Javier gamed for two (2) hours and forty-eight (48) minutes at sixteen (16) separate slot machines. Additionally, she was served one (1) alcoholic beverage by a cocktail server. No gaming funds were seized from Ms. Javier. She was permanently evicted and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13.1), Unlawful to Wager Under 21. This incident was self-reported by Sands.

Sands advised that disciplinary action was issued to Security Officers Aviles, Derr, Gonzalez, Rasely, Repyneck, and Tronchin by way of a Last and Final PIP for violation of the PGCB regulations, unsatisfactory work performance, failure to meet Company and Departmental standards of performance and disregard or violation of Company and Departmental rules, policies and procedures.

As a result of this incident Security Supervisor Mannino was suspended pending an investigation. Mannino was informed that surveillance review revealed that he interacted with the individual accompanying the minor as well as the minor while at the Security Podium on this date from 12:39 to 12:43 hours. Both individuals were observed

leaving the Security Podium unchallenged and proceeded onto the gaming floor. Mannino was reminded that allowing a minor continued access to the casino floor was in direct violation of Company and Departmental policies and procedures and in violation of the PGCB regulations. Prior to this incident Mannino was issued a Last and Final PIP for an underage violation that occurred on February 24, 2018. Upon review of Mannino's previous disciplinary action and the facts from the investigation resulting from this incident it was determined that Mannino did not meet Company and Departmental standards and that he was in direct violation of company policy. As a result, Mannino was terminated effective December 17, 2018.

As a result of this incident Security Officer Lezin was suspended pending an investigation. Upon review of Lezin's previous disciplinary action and the facts from the investigation resulting from this incident it was determined that Lezin did not meet Company and Departmental standards and that he was in direct violation of company policy. As a result, Lezin was terminated effective December 13, 2018.

Disciplinary action was issued to Cocktail Server LaRosa by way of a Coaching and Counseling Session held on December 12, 2018 for violation of the Pennsylvania Liquor Control Board (PLCB) regulations for failure to card a guest that clearly appeared to be under the age of thirty (30). A Career Decision Day (CDD) was held with LaRosa on December 17, 2018 and she returned to work on December 19, 2018.

Count X

1353-E4810-19 On November 30, 2018, the Sands Security Department notified the Bureau of Casino Compliance of an underage patron on the gaming floor. At

approximately 2:24 a.m. Steven Knoble (DOB 1/12/1998), age 20, was challenged for identification by Sand's Security Officer Stephanie Barry. Security swiped the identification Mr. Knoble provided. The Identification belonged to a Joseph Lewzuk (DOB 2/24/1996), age 22. Mr. Knoble was permitted to access the gaming floor. While on the gaming floor, Mr. Knoble gamed at two (2) machines, WT4206 / WT4216. While at machine WT4206, Mr. Knoble was challenged by Table Games Supervisor Guerlyne Casimir and allowed to continue gaming. Mr. Knoble exited the gaming floor via the Hotel Entrance at approximately 3:15 a.m. Upon attempting to reenter, he was challenged by Security Officer Zachary Tallarico for identification. Upon observation of the identification presented, Security requested an identification check because the picture on the identification did not seem to match the patron. After questioning, Mr. Knoble provided his true identification.

Mr. Knoble was on the floor for approximately fifty-six (56) minutes, gamed at two (2) machines. He did not consume any alcoholic beverages. No gaming funds were seized from Mr. Knoble. He was permanently evicted and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21. This incident was self-reported by Sands. Sands advised that disciplinary action was not issued to any employee.

Count XI

1353-E4879-19 On January 17, 2019, the Sands Security Department notified the Bureau of Casino Compliance of an underage patron on the gaming floor. The underage patron, later identified as Nicolas Enrique Espinoza, entered through the Bus Entrance and was

challenged for identification by Security Officer Ryan Alcaro. The identification provided by Nicolas Enrique Espinoza was scanned and he was allowed on the gaming floor. Nicolas Enrique Espinoza was on the gaming floor for approximately three (3) hours and twenty-two (22) minutes. During that time, he gamed at two (2) tables (Casino War WR408 and BlackJack BJ202) and was challenged by Table Games Supervisors Sherman Zhang and Hon Nguyen for identification, however, he was allowed to game. Nicolas Enrique Espinoza was also served 3 alcoholic beverages by two (2) different Cocktail Servers during his time on the floor.

Nicolas Enrique Espinoza was discovered as underage after being challenged a third time while exiting Sands & Co. (the retail store on the gaming floor). Security Supervisor Amy Lopez determined that the identification presented by Nicolas Enrique Espinoza did not belong to him. After questioning, he admitted that the identification belonged to his brother, Miguel Jose Espinoza Naranjo. Pennsylvania State Police were contacted.

Upon further investigation, it was discovered that Nicolas Enrique Espinoza also gained access to the gaming floor on January 15, 2019, using the same identification. Initially on January 15, 2019, Nicolas Enrique Espinoza attempted entry to the gaming floor via the Main Entrance with the identification and he was denied entry. He then returned to the Main Entrance, after using the restroom, and presented the identification to Security Officer John Duran. The identification was scanned and Nicolas Enrique Espinoza was granted access to the gaming floor. On January 15, 2019, he was on the gaming floor for approximately four (4) hours and thirty-nine (39) minutes. He gamed at one (1) table (BlackJack BJ201) and was served five (5) alcoholic beverages. Four (4) of

the beverages were provided by two (2) different Cocktail Servers and one (1) was given to him by an unknown patron. Nicolas Enrique Espinoza was permanently evicted and was charged by the Pennsylvania State Police with 4 Pa.C.S. § 1518(a)(13), Unlawful to Permit Persons Under 21 and 4 Pa.C.S. § 1518(a)(16), Purchase/Consume Alcohol by Minor in Licensed Facility. This incident was self-reported by Sands.

Regarding the January 15, 2019 incident, Sands reported two (2) separate forms of identification were produced. The person depicted in the photos appeared to be thinner. However, the information was the same. Nicolas Enrique Espinoza was questioned about the weight discrepancy and indicated that he had been working on his weight and that he lost a significant amount since the photo was last taken. He was asked several standard identification questions, which he answered promptly and correctly. Since Security believed it would be unusual for a person to present two (2) different types of “false/fake” identifications, both of which contained the same information and photo, access to the gaming floor was granted. As a result of the actions taken by the Security Officers and Management involved in this incident, including all Company and Department policies and procedures, no disciplinary action was issued. However, Beverage Servers Albert Rivera and Sarah Berg were issued disciplinary action by way of a Career Decision Day and a Last and Final Performance Improvement Plan for failing to request identification from anyone appearing to be thirty (30) years of age or under.

Regarding the January 17, 2019 incident, Sands reported no disciplinary action was issued to Security. Beverage Servers Kara Wesnak and Karen Mahoney were issued disciplinary action by way of a Career Decision Day and a Last and Final Performance Improvement Plan for failing to request identification from anyone appearing to be thirty

(30) years of age or under. Disciplinary action was issued Table Game Dealers Fred Lutz, Lauren Martnick, and Andy Huang and to Table Games Dual Rate Supervisor Christopher Turner by way of Performance Improvement Plans for violation of the rules and regulations of the PGCB, unsatisfactory work performance, and failure to follow Company and Department policies and procedures for failure to request identification from anyone appearing to be thirty (30) years of age or younger.

PRIOR CONSENT AGREEMENTS

If approved, this will be the first penalty assessed against Sands since the renewal of Category 2 license. However, overall, this is the tenth penalty assessed against Sands for a violation of the Act or Board Regulations pertaining to underage persons accessing the gaming floor, gaming, or in some instances drinking alcoholic beverages. One (1) Compliance Conference, addressing four (4) underage incidents, was held on June 6, 2018. No warning Letters regarding underage incidents have been issued against Sands since the renewal of Category 2 license.

TERMS OF AGREEMENT

In consideration of the foregoing stipulated facts, and in full and final settlement of any and all claims, causes or actions which could or might be brought under the Act or the regulations promulgated thereunder, whether against Sands, or any of its owners, employees or agents, arising out of the matters identified in the above stipulated facts, the Parties do hereby further stipulate and agree that:

1. This Consent Agreement shall become final and effective only upon its approval by the Board;

2. Sands shall pay a civil penalty in the amount of one-hundred twenty thousand dollars (\$120,000.00) to the Board within five (5) days of the Board's Order approving this Consent Agreement;

3. Sands shall pay to the Board two thousand, five hundred dollars (\$2,500.00) for the costs incurred by OEC, BIE and other related staff in connection with this matter within five (5) days of the Board's Order approving this Consent Agreement;

4. If approved, the Board may make information public with respect to the terms and conditions of this Consent Agreement;

5. This Consent Agreement may be set aside by the Board if any term herein is violated by Sands; and

6. Sands, through its authorized representatives whose signatures appear below, have read and fully understand the terms of this Consent Agreement.

This Consent Agreement is offered and, if approved by the Board, entered for settlement purposes only. If the Board determines not to approve the effectiveness of same, then this Consent Agreement and the representations and obligations contained herein shall be null and void, and neither Party nor any other person shall be entitled to use or rely on any portion hereof for any purpose whatsoever or to admit any portion hereof into evidence in the captioned matter or any subsequent proceeding. This Consent Agreement shall not preclude the Board, BIE or OEC from reviewing and considering any facts in any future proceeding relating to any application for licensure or qualification of the licensee. Sands

expressly acknowledges and agrees that the Board reserves the right to take any actions that the Board, in its sole discretion, believes is necessary to protect the integrity of gaming in Pennsylvania, including the right to suspend or revoke any license, approval or permit without limitation if any further violations occur or are subsequently discovered, all in accordance with the Act and the regulations promulgated thereunder.

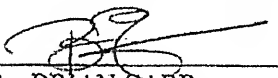
The undersigned consent to the form and entry of the above.

**Pennsylvania Gaming Control Board
Office of Enforcement Counsel**


By: MICHAEL R. ROLAND
Senior Enforcement Counsel

DATED: 3/14/19

Sands Bethworks Gaming, LLC


By: BRIAN CARR
President, Sands Bethworks Gaming, LLC

DATED: 3/14/19